



July 20, 2017

Cara Bay Apartments  
ATTN: Jake Fagenson  
2269 Chestnut Street Ste 269  
San Francisco, CA 94123

**CERTIFIED MAIL: 7016 2710 000 2602 5241**

Dear Mr. Fagenson:

**SUBJECT: TETRACHLOROETHYLENE (PCE) COMPLIANCE ORDER FOR CARA BAY APARTMENTS, COMMUNITY WATER SYSTEM, WA0001298**

Enclosed is a Compliance Order (Order) issued to the CARA BAY APARTMENTS water system. The Order is being issued because CARA BAY APARTMENTS water system is not in compliance with sections of Chapter 15, Title 22 California Code of Regulations (CCR) and the California Health and Safety Code, "Safe Drinking Water Act". California's Local Primacy Delegation requires that the Sacramento County Environmental Management Department take appropriate enforcement actions in the event that the system fails to comply with provision of Title 22 CCR and the California Health and Safety Code.

The Order defines the specific violations and actions required to be in compliance with Title 22 CCR and the California Health and Safety Code.

If you have any questions regarding this matter, you may contact the office at (916) 876-7888.

Sincerely,

Megan Floyd, R.E.H.S.  
Environmental Health Specialist III  
Small Water Systems Program

MF: km

Attachment 1: Compliance Order 2017-003

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County of Sacramento  
Environmental Management Department  
Environmental Compliance Division  
10590 Armstrong Ave., Suite A  
Mather, CA 95655  
Telephone: (916) 875-8550  
Facsimile: (916) 875-8513

CARA BAY APARTMENTS LLC.	) COMPLIANCE ORDER
	)
ATTN: JAKE FAGENSON	) [California Health and Safety
2269 CHESTNUT STREET STE 269	) Code Section 116655]
SAN FRANCISCO, CA 94123	)
PUBLIC WATER SYSTEM NUMBER	) Order No. 2017-003
CA3400198	

### INTRODUCTION

1.1. Parties. The Sacramento County Environmental Management Department, Environmental Compliance Division ("EMD") issues this Compliance Order (Order) to **CARA BAY APARTMENTS LLC. DBA CARA BAY APARTMENTS** (Respondent).

1.2. Site. Respondent operates a small water system that is regulated pursuant to the California Safe Drinking Water Act, California Health and Safety Code (CH&SC) and Title 22 of the California Code of Regulations (CCR) at the following site: **CARA BAY APARTMENTS**, located at 6125 Stockton Boulevard, Sacramento, CA 95824.

1.3. Jurisdiction. CH&SC Section 116655 authorizes EMD to issue an Order for failure to comply with any requirement of CH&SC or any regulation, standard, or permit.

### FINDINGS

2.1. The Respondent is classified as a Community Water System and is required to not exceed the tetrachloroethylene (PCE) Maximum Contaminant Level

(MCL) of 0.005 mg/L.

**DETERMINATION OF VIOLATIONS**

3.1. The RAA for PCE concentration of the raw water based upon quarterly samples completed September 2016 through May 2017 is 0.0058 mg/L exceeds the PCE MCL of 0.005 mg/L (Title 22 CCR Table 64444-A).

**ACTIONS REQUIRED**

The Respondent is currently working with the city of Sacramento to connect Cara Bay Apartments into the city of Sacramento public water system. Once the connection is completed, Cara Bay Apartments will no longer be regulated by EMD as a Public Water System. The directives below must be satisfied until the connection to the city of Sacramento water is achieved:

4.1. The water system must be in compliance with the Primary MCL RAA for PCE **no later than January 20, 2018.**

4.2. Until such time that Cara Bay Apartments water system is in compliance with the RAA for the MCL for PCE, or until the connection to the City of Sacramento water system is completed, the Respondent must continue to take quarterly PCE samples of the well. The third quarter (July through September 2017) sample for PCE must be taken **no later than September 30, 2017. Submit the results to EMD no later than October 10, 2017.** The fourth quarter sample (October through December 2017) sample for PCE must be taken **no later than December 31, 2017. Submit the results to EMD no later than January 10, 2018.**

4.3. Until such time that Cara Bay Apartments water system is in compliance with the RAA for the MCL for PCE, or until the connection to the city of Sacramento water system is completed, the Respondent shall provide Tier 2 Public Notification to all water users one each calendar quarter, notifying water users that

1 the domestic water exceeds the RAA for the PCE MCL. The Respondent shall  
2 submit a copy of the quarterly Public Notification and certification of the public notice  
3 distribution, to EMD **no later than October 10, 2017** for the third quarter and no  
4 later than January 10, 2018, if needed for the fourth quarter.

## **COMPLIANCE PROGRESS**

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7 5.1. On June 2, 2017, Respondent, through electronic mail, submitted  
8 written intent to consolidate the Cara Bay Apartments to the city of Sacramento  
9 public water supply system.

10 5.2. On June 23, 2017, Respondent submitted certification to EMD that the  
11 Tier 2 Public Notification was distributed to all of the tenants at Cara Bay Apartments  
12 and posted in a conspicuous location on site in English, Spanish, and Vietnamese.

## **CIVIL PENALTIES**

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14  
15 6.1. CH&SC Section 116650(e)(3) provides for the assessment of a civil  
16 penalty for violation of the requirements of CH&SC. Failure to comply with provisions of  
17 this Order may result in EMD imposing a civil penalty of up to **\$1,000.00** per day per  
18 violation for each day the violation continues beyond the date specified for correction.

## **ADDITIONAL FINES/PENALTIES**

19  
20 7.1. CH&SC Section 116577 provides for billing at the EMD rate of \$213.00  
21 per hour for all enforcement activities which must be taken by EMD to gain compliance  
22 with applicable laws and regulations pertaining to Small Public Water Systems. Billing  
23 to cover the costs of issuing this Order will be mailed to the Respondent within 30 days.

24  
25 7.2. A civil penalty assessed pursuant to this Order is in addition to any other  
26 remedies, both civil and criminal, provided by State Law or County Code. Furthermore,  
27 if the cited violations are ongoing, additional penalties may be assessed for each day  
28 that the violations continue.

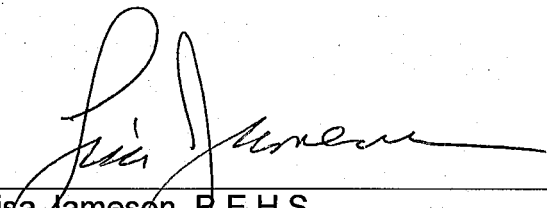
# ATTACHMENT 1

1           7.3.    Notify EMD in writing no later than January 15, 2018, to request and  
2 extension of the January 20, 2018, compliance deadline in the event that circumstances  
3 beyond your control have delayed the final connection to the city of Sacramento public  
4 water system. Any extension granted by EMD will be in writing and may contain further  
5 directives for additional public notification to tenants.  
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7 Dated: 7/20/17

County of Sacramento  
Environmental Management Department

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Lisa Jameson, R.E.H.S.  
Supervising Environmental Specialist  
Environmental Compliance Division  
Environmental Management Department

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